

## Sullivan County NH

**Type of meeting:** Board of Commissioner – Public Meeting Minutes

**Date/Time:** Tuesday – August 8, 2006; 1:30 PM

**Place:** Newport – Remington Woodhull County Complex, 3<sup>rd</sup>  
Floor Probate Court Room

**Attendees:** Commissioner Donald S. Clarke – *Chair* and Ben C. Nelson – *Vice Chair*;  
Ed Gil de Rubio – *County Manager*; Scott Hagar – *Department of Corrections*  
*Superintendent*; Sharon Johnson-Callum (minute taker). **Absent from meeting:**  
*Commissioner Ethel Jarvis.*

**Other attendees:** *State-County Delegate* Larry Converse, William Roach – *Sunapee*  
*Town Select Board Chair*; and Lisa Cornell – *Eagle Times Staff Writer.*

**1:30 p.m.** Commissioner Clarke brought the meeting to order. Representative  
Converse led *The Pledge to Allegiance.*

### AGENDA ITEM NO. 1 MEETING MINUTES

AGENDA ITEM NO. 1.A. JULY 11, 2006 EXECUTIVE SESSION NO. 3 FIRST DISCUSSION  
Tabled from last meeting.

**1:32** A motion was made, by Commissioner Nelson, to approve and release the  
July 11, 2006 Executive Session No. 3 First Discussion meeting minutes.  
Commissioner Clarke seconded the motion. There was no discussion. A  
voice vote was taken. The motion carried with all in favor. Commissioner  
Jarvis was absent.

### AGENDA ITEM NO. 1.B. JULY 11, 2006 EXECUTIVE SESSION NO. 3 SECOND DISCUSSION

**1:32** A motion was made, by Commissioner Nelson, to approve and leave sealed  
the July 11, 2006 Executive Session No. 3 Second Discussion meeting  
minutes. Commissioner Clarke seconded the motion. There was no  
discussion. A voice vote was taken. The motion carried, unanimously.  
Commissioner Jarvis was absent.

### AGENDA ITEM NO. 1.C. JULY 19, 2006 SPECIAL MEETING MINUTES

Commissioner Nelson recommended they add “contracts” prior to the words “...a  
personnel issue”, as that issue was also included in the discussions.

**1:33** A motion was made, by Commissioner Nelson, to approve the July 19, 2006  
Special meeting minutes with the noted additional wording. Commissioner  
Clarke seconded the motion. There was no further discussion. A voice vote  
was taken. The motion carried, unanimously. Commissioner Jarvis was  
absent.

AGENDA ITEM NO. 1.D. JULY 19, 2006 EXECUTIVE SESSION MINUTES

- 1:33 A motion was made, by Commissioner Nelson, to approve and release the July 19, 2006 Executive Session meeting minutes. Commissioner Clarke seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Jarvis was absent.**

AGENDA ITEM NO. 1.F. JULY 25, 2006 PUBLIC MEETING MINUTES

Commissioner Clarke noted he had not had time to read the minutes. Commissioner Nelson recommended they table discussions to next meeting.

- 1:34 A motion was made, by Commissioner Nelson, to table review of the July 25<sup>th</sup> meeting minutes to the next meeting. Commissioner Clarke seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Jarvis was absent.**

AGENDA ITEM NO. 2 JUDKIN'S PROPERTY CONSERVATION EASEMENT

Mr. Gil de Rubio noted the revised draft was just received from Brian Hotz last night. Johnson-Callum noted Mr. Hotz's revision did not highlight the changes he made, as requested. It was noted in his e-mail, circulated earlier to the Board and County Manager, Hotz had written that the changes pertained to the names only. Mr. Gil de Rubio instructed Johnson-Callum to contact Mr. Hotz for a "bolded" revised copy. Commissioners decided to table discussions to give them a chance to review.

- 1:36 A motion was made, by Commissioner Nelson, to table further review of the redrafted conservation easement to the next August meeting [August 22, 2006]. Commissioner Clarke seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Jarvis was absent.**

*Superintendent Hagar stepped up to the conference table.*

AGENDA ITEM NO. 3. DOC REPORT

COMPLIANCE LETTER

Superintendent Hagar reviewed the notes he made of the tour Commissioner Nelson, County Manager Ed Gil de Rubio and various Delegates took of the Department of Corrections/THU facilities with Laura of Ricci Greene & Associates on June 20, 2006, after the regular business meeting. He noted they were in compliance with the RSA's with this tour and recommended they include the meeting agenda and census discussed during the tour that day. Johnson-Callum confirmed she would create a letter for Commissioner Clarke to sign after the meeting and include Mr. Hagar's notes, the Board's agenda for June 20<sup>th</sup> and the population data Mr. Hagar discussed at the tour.

#### PRETRIAL PROGRAM – NOT ON AGENDA

Superintendent Hagar indicated they would review changes they made to the pretrial program. Mr. Gil de Rubio confirmed this would be part of the August 22<sup>nd</sup> Board meeting and County Attorney Hathaway would be attending, also.

#### CENSUS

Superintendent Hagar discussed an inmate disturbance that occurred in the maximum-security unit at 5 p.m., involving eleven inmates. The inmates were upset over the meal selection and began throwing food. A lock down was ordered, with inmates refusing. The Emergency Response team was called in and arrived promptly. Inmates were again ordered into lock down and complied. Each inmate was removed individually. The entire incident was resolved within two hours and considered a passive disturbance, with no damage to the facility or injuries to inmates or officers. The incident was formally recorded, with information to be compiled and released to the County Attorney's office in order for them to view for any criminal action. He feels the incident occurred due to a recent change of inmates in the building. Total census is 170. They have 12 females, 33 HOC males, 36 pretrial, 15 at the THU – at max capacity and working out great. He noted they should reap long-term benefits from the max capacity at THU including an increase of revenues. They are constantly moving people from THU to the electronic monitoring program and have not had any problems with the monitoring program. The latter, Superintendent Hagar feels, is due to the heavy drug-testing program they conduct, which deters anyone from violating probation.

#### NEEDS ASSESSMENT UPDATE

Superintendent Hagar indicated they are in the data collection phase, which has been going on for less than a month. They completed a June 30, 2006 "snapshot" – profiled population of that date and used a classification tool to decide on bed needs, defining between minimum and maximum security, for example. Admission data is reviewed daily, but snap shots are typically done every six months. Admissions database will be most essential database they have. They will look at their peek population and trends, the average length of stay, how long pretrial takes through the judication process – which can be useful for changes to enhance the system. On August 14<sup>th</sup> they will hold an alternative sentencing meeting with the County Attorney and various police departments to discuss options. Kevin Warwick at the Ahern Building 1-3 p.m will host this meeting. Mr. Hagar indicated they are doing a great job with the current program but could find enhancements. Mr. Hagar anticipates the data collection phase to be wrapped up for presentations by mid to late September. Mr. Hagar confirmed most all communication material the Board of Commissioners receives is also presented to the DOC staff. They hold regular staff meetings to solicit the staff's help and sub committees will be formed in the future to decide on different things within the jail. He noted they have a departmental intra website just for DOC, with a dedicated page to keep all up to date.

#### STAFFING

They are fully staffed, other than a position, which was vacated when Brookens was placed into a newly created community position. Effective July 1<sup>st</sup>, Ramona Berman began as the new DOC LADC (Licensed Alcohol & Drug Counselor), a full time

position. Ms. Berman splits time between the interviewing program and the jail. She's taken the time to learn the employee's jobs and to educate the officers on her role with inmates. Staff and inmates have a great rapport with her. She's working with Lt. Roberts on the SCIP program so he can focus time with case management compliance. They perform group counseling at the jail, they hold groups with the SCIP program and Ms. Berman performs one on one counseling and assessments. The facility is receiving more services from Ms. Berman's contact than with the previously contracted LADC. He noted Ms. Berman provides individual plans and when the inmates are released provides referrals, when necessary, and performs follow-ups. Mr. Hagar confirmed they are able to track recidivism within their own house of corrections population, but not between other counties and states, as everyone uses different software. He spoke of a couple different types of software programs used for sharing information, one by Vermont – Speilman; and CrimeStar used by the Sheriff's, which he felt are both great data sharing software systems; otherwise, he indicated, local municipalities have little communication of data between each other. Mr. Hagar indicated Sullivan is doing everything and more than other counties to provide the best for these inmates once released. Mr. Gil de Rubio spoke briefly of the life skills program they provide through the THU. Commissioner Nelson asked about the SAP program with Ramona. Mr. Gil de Rubio discussed the lack of funding from the two school systems, which forced them to make adjustments to the program.

2:09 *Superintendent Hagar left the table.*

#### **AGENDA ITEM NO. 4. COUNTY MANAGERS REPORT**

NEWPORT COMPLETE – 3<sup>RD</sup> FLOOR PROBATE COURT ROOM WINDOW WORK – NOT ON AGENDA

Mr. Gil de Rubio briefly discussed the work Window Masters, a Concord company, did on the exterior sidewalk side windows of the 3<sup>rd</sup> floor Probate Court Room. The work involved included routing out the old single glass panes and adding thermo-paneled glass. The company subcontracted stained glass work to a NY firm. Facilities will be contracting the trim painting job, using encumbered FY06 funds – money that was budgeted for the window project, as they came in under budget on the window thermo job.

COUNTY AUDIT UPDATE – NOT ON AGENDA

Mr. Gil de Rubio indicated the auditors, Melanson & Heath Associates, arrived yesterday. Last week Jeff Graham helped Dodi Violette prepare for their visit. He anticipates they will wrap up Wednesday or Thursday, to go to the nursing home and should be done by the end of the week, with the Medicaid/Medicare assessment to be subcontracted. He believes they should hear by August 15<sup>th</sup>.

#### AGENDA ITEM NO. 4.A. PANDEMIC FLU PREPAREDNESS PLANNING UPDATE

Mr. Gil de Rubio completed the State's pandemic preparedness grant application forms and will meet with Johnson-Callum tomorrow to finalize the paperwork. The forms need to be submitted, the mou's have been returned and the budget forms completed. He indicated Neil Twitchell anticipates grant funding of \$32,000 – \$34,000 to be available some time in September as the first round. Mr. Gil de Rubio anticipates holding a meeting late August with Mr. Twitchell and Mary Miller, addressing the group with assessment material. He envisions the subcommittee meeting to draft an RFQ for the consultant. Once the grant application is approved they have only six months to get the plan together and perform tabletop exercises. The plan is an overall emergency format, not just structured for the Avian flu. Mr. Gil de Rubio briefed the group on those involved in the committee.

#### AGENDA ITEM NO. 4.B. GOAL SETTING

Mr. Gil de Rubio indicated August 17<sup>th</sup>, at the Ahern building; they will hold a strategic planning conference. All attending will receive a two-page document that was provided by NH Primex, for attendees to review and think about before the conference. He is very excited about this event and hopes to enhance the County's goal setting and to improve on communications. He also indicated Paul Webber, a former town manager in several NH municipalities, is attending. This is a free program.

#### AGENDA ITEM NO. 4.C. ASSISTED LIVING UPDATE

The Commissioners and Mr. Gil de Rubio reviewed Health Care Management Associates July 31, 2006 "*Ongoing Project Support and Assistant Proposal*". The proposal encompasses two planning and coordination stages and different tasks; to be completed within approximately a five-month period. It would include architect site and design review, printing, mailing and advertising. This is \$10,000 due upon approval of the agreement. The proposed budget was reviewed. Mr. Gil de Rubio is looking for formal action from the Board to approve the proposal and appoint him as Project Director and Mr. Pulling as Project Coordinator. The group discussed the direction the Board wanted to go with the project - if they wanted to avoid using tax payer money then the recommendation would be to attain a 501c.3 application in order to go after private funding. The application would need to be submitted soon, per Mr. Gil de Rubio. It was agreed they would speak more of the 501c.3 status at the next meeting in order to get a better understanding of the benefits. Mr. Gil de Rubio noted if they were unable to attain the deposits, they would be unable to commit to the next phase. Mr. Gil de Rubio confirmed he would provide updates on the assisted care living issue at all future Delegation meetings. He indicated Mr. Pulling suggested they tour various facilities that were worked on from a list of 3-4 design architects on August 28<sup>th</sup> – Mr. Clarke was okay with this date. He indicated the tour would help them get a conceptional design idea and assist them in choosing the appropriate design architect firm for their project. Mr. Gil de Rubio needs to talk to Mr. Pulling regarding the legal fees. Commissioner Clarke provided a recommendation of an elder care law issue attorney in Claremont.

At this point Commissioner Clarke opened discussions for public input.

Representative Converse asked how someone would be accepted into the assisted care facility if their property value was less than the \$100,000? It was noted that scholarship funds, if set up as a 501.c.3, could be established to assist Medicaid recipients unable to afford the full entrance fee. He indicated the facility could definitely support the cost they are looking at. They are now at the point where they are going from the conceptional stage, to the point where they need to sit down and get hard lines on paper to see if the concept holds water. Mr. Converse expressed concern of costs to operate in 20 years.

Mr. Roach questioned the need for the facility when he noticed ads for vacancies in the Sunapee and New London area in assisted care facilities. Mr. Gil de Rubio indicated their target market would be the Claremont and Charlestown area, a different economic group than the New London and Sunapee areas and the charge for their units would be well below the Sunapee and New London area facilities. He noted the County would also be providing space for Medicaid recipients through an entrepreneurial position. They would need to attract a mix of people. Mr. Roach indicated the property tax is a most regressive tax and he was concerned about the cost of the project and the possible ramifications on the taxpayer. Mr. Gil de Rubio indicated the unit costs would be from \$2,500 – \$3,500.

**3:03 A motion was made, by Commissioner Nelson, to approve the proposal of ongoing support and sign it. Commissioner Clarke seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Jarvis was absent.**

Commissioner Clarke signed and dated the two original proposals and requested discussions at the next meeting on the 501.c.3 status to include the whole structure and why it's best to go that route vs. regular government agency. Mr. Gil de Rubio predicts spending 5 – 10 hours per week as Project Manager, with Mr. Pulling doing most of the legwork and reporting back to him. He indicated at this stage he'd like to be involved to make sure it's completed in a format where all basis are covered, the information presented to the Commissioners and Delegates is in a format they are all used to, and, that Mr. Pulling continues to understand where we are coming from as a county. He feels when things are finalized, a good architect is on board, and Phase 1 & 2 are finished, then they can search for a full time project manager as a clerk of the works to take it through completion and staffing - as that would consume 40-50 hours per week.

**3:09 A motion was made, by Commissioner Nelson, to appoint the County Manager as the Project Manager for Stage 1 & 2 and Mike Pulling as the Project Coordinator. Commissioner Clarke seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Jarvis was absent.**

AGENDA ITEM NO. 4.D. SULLIVAN COUNTY HEALTH CARE: OMBUDSMAN'S REPORT  
Mr. Gil de Rubio spoke briefly of an e-mail he forwarded to the Board and Delegates regarding the Ombudsman's visit two Saturday's ago; and that the outcome was very positive and that the Ombudsman's Office was very happy with the facility. There is no formal report, but once one is received, it will be forwarded.

**AGENDA ITEM NO. 5 COMMISSIONERS REPORT**

RATIFICATION OF [UNH COOPERATIVE EXTENSION] COUNTY MOU

**3:14 A motion was made, by Commissioner Nelson, to resign the MOU with the UNH Extension and County. There was no discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Jarvis was absent.**

Commissioner Clarke will sign the original agreement when he returns to the Commissioners Office.

HB 638

Commissioner Clarke will make an appointment with Mr. Gil de Rubio Thursday afternoon to discuss HB638 and put thoughts in writing.

COMMISSIONER REPORT FOR THE COUNTY ANNUAL REPORT

Commissioner Clarke will meet with Mr. Gil de Rubio to discuss issues they will present in their reports.

**AGENDA ITEM NO. 6. PUBLIC PARTICIPATION**

Mr. Roach noted there was a recent news article that indicated Sunapee would see a 23.5% reduction to their county tax. He felt this would be lovely but noticed in reality it was a reduction of 8/10 of a ½ percent; he was hoping someone would have corrected the reporter. Mr. Gil de Rubio and Commissioner Clarke concurred the reporter probably lifted the data from a wrong column the reporter used for the article.

Mr. Roach indicated he noticed another article about inmate work and asked how much the County billed Claremont for House of Correction inmate work in the Manadnock Park? Mr. Gil de Rubio noted the County DOC does collaborative projects with municipalities and that letters were sent to each town about the program. Mr. Roach indicated he, nor the Town Manager, received such a letter and indicated they could use them to help clean up Dewey Park. Mr. Gil de Rubio requested Mr. Roach to have Donna Nashawaty contact Scott Hagar @ the DOC to discuss the program and any projects they could help with.

Representative Converse asked when the Sullivan County Buildings Committee would meet again? Mr. Gil de Rubio indicated he was unsure but would keep him posted.

Representative Converse asked how many HOC inmates were being housed in other counties? It was pointed out, based on the June 20<sup>th</sup> census, provided by Mr. Hagar in his report earlier in the meeting, three were housed in other counties.

Representative Converse asked who suggested using the Baylor program [at the Health Care facility]? Mr. Gil de Rubio confirmed Genesis had not, but that the Director of Nursing had; and, they went with the suggestion as they were coming off the use of agency nursing and the Baylor program was less expensive, they thought they would try it only if they would maintain a high level of care and retain nurses. It was noted the program continues to be used by the RN's. General discussion commenced.

Commissioner Clarke thanked all for attending the meeting.

**3:35 A motion was made, by Commissioner Nelson, to adjourn the meeting. Commissioner Clarke seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously. Commissioner Jarvis was absent.**

*Respectfully submitted by Sharon Johnson-Callum for Ethel Jarvis, Clerk of the Board of Commissioners, in her absence.*

EJ/s.j-c.